



To: Kraig Knowlton, Director, Office of Human Resources
Tracy Diel, Director, Office of Administrative Hearings
Correne K. Green, Chairperson, Civil Service Board

From: Michele L. Tunnell, Secretary, Civil Service Board

Date: October 15, 2012

Re: Quarterly Update

The following reflects the Civil Service Board case filings and action taken since the July 16, 2012 quarterly report:

A. Cases Decided and/or Disposed Of:

Dismissal

affirmed

Department of Transportation

Engineer Technician Senior. Appellant was dismissed after receiving six consecutive "needs improvement." The Board affirmed the decision of the appointing authority.

Dismissal

withdrawn

Kansas Highway Patrol

Master Trooper. Appellant was dismissed based on information contained in a Kansas Bureau of Investigation report pertaining to allegations of criminal misconduct resulting in a criminal complaint being filed in Rush County District Court. Appellant withdrew his appeal.

Dismissal

modified

Kansas Correctional Industries

Correctional Industries Manager. Appellant was dismissed after causing a fire pit made by prisoners to be moved from the metal shop, where he worked, to the plumbing shop without following proper procedures. Appellant believed he and his supervisor had agreed that he would be able to purchase the fire pit once a price was determined. The appointing authority found that Appellant's conduct compromised his position of trust and jeopardized the safety and security of the facility. Based on the limited testimony presented by KCI, the Board found there was insufficient evidence to find dismissal of Appellant was reasonable and modified the discipline to a thirty-day suspension.

Dismissal

affirmed

Department for Children and Families

Administrative Specialist. Appellant was dismissed for excessive and inappropriate use of instant messaging and for sexual harassment. The Board affirmed the decision of the appointing authority.

Dismissal

affirmed

Department of Transportation

Equipment Operator Specialist. Appellant was dismissed as the result of an ongoing pattern of disruptive and inappropriate behavior directed at his co-workers, females in particular. He also engaged in sexual harassment of one of his female co-workers. The Board affirmed the decision of the appointing authority.

Dismissal

withdrawn

Department for Children and Families

Program Consultant II. Appellant was dismissed for making a false report to the Garden City Police Department and for conspiring with her husband to commit insurance fraud. Appellant's appeal was deemed withdrawn.

10-day Suspension

affirmed

Department of Corrections

Parole Officer I. Appellant received a 10-day suspension for failing to take appropriate action when he became aware that an offender was violating a special condition of his parole. The Board affirmed the decision of the appointing authority.

5-day suspension

modified

Department for Children and Families

Public Service Executive II. Appellant received a 5-day suspension for inefficiency, incompetency and negligence in the performance of her job duties. Specifically, Appellant failed to timely process invoices which resulted in over \$40,000 having to be paid with state general funds that should have been paid by a federal grant. The Board modified the suspension from 5 to 7 days.

Dismissal

withdrawn

Department of Health and Environment

Public Service Executive II. Appellant was dismissed after receiving two consecutive unsatisfactory reviews. Appellant's appeal was deemed withdrawn.

Dismissal

withdrawn

Department for Children and Families

Human Services Specialist. Appellant was dismissed for improperly disclosing confidential information. Appellant withdrew his appeal.

B. Cases Filed Between July 15, 2012 and October 15, 2012:

Dismissal, Kansas Highway Patrol, filed July 26, 2012

Dismissal, El Dorado Correctional Facility, filed August 8, 2012

Dismissal, Department of Health and Environment, filed August 10, 2012

Dismissal, Kansas Securities Commission, filed September 5, 2012

Dismissal, Department for Children and Families, filed September 11, 2012

5-day suspension, Lansing Correctional Facility, filed September 18, 2012

Dismissal, Rainbow Mental Health, filed September 24, 2012

Dismissal, Department of Transportation, filed October 3, 2012

C. Cases To Be Heard:

Dismissal, Kansas Highway Patrol, set November 7-8, 2012
14-day suspension, Kansas Highway Patrol, set October 23, 2012
5-day suspension, Department of Corrections, status conference set October 16, 2012
Dismissal, Osawatomie State Hospital, stayed
Dismissal, El Dorado Correctional Facility, set January 8, 2013
Dismissal, Kansas Securities Commission, set February 19-20, 2013
Dismissal, Department for Children and Families, set November 19, 2012
5-day suspension, Lansing Correctional Facility, motion to dismiss pending
Dismissal, Rainbow Mental Health, set December 5, 2012
Dismissal, Department of Transportation, motion for continuance pending

D. Statistics for Completed Cases:

Dismissals: 8
Suspensions: 2

Affirmed: 4
Reversed: 0
Modified: 2
Dismissed: 0
Withdrawn: 4

Department of Corrections: 2
Department of Health and Environment: 1
Department of Transportation: 2
Department for Children and Families: 4
Kansas Highway Patrol: 1